

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
SUPPLEMENTAL OATH/DECLARATION

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REISSUE SERIAL NO. : 09/592,461
FILING DATE : June 6, 2000
GROUP ART UNIT : 2641
EXAMINER : T. Smits
INVENTORS : Novosel et al.

TITLE : "SOUND RECORDING AND REPRODUCTION
SYSTEM FOR MODEL TRAIN USING INTEGRATED
DIGITAL COMMAND CONTROL"



REISSUE APPLICATION
INVENTOR'S SUPPLEMENTAL DECLARATION
KELLY BOLES

Assistant Commissioner for Patents
Box Reissue
Washington, D.C. 20231

S I R:

I hereby declare that:

1. My residence, post office address and citizenship are as stated below next to my name.

2. I am one of the original joint inventors for U.S. Patent Application Serial No. 08/851,200 filed May 5, 1997 and which issued as U.S. Patent No. 5,855,004 on December 29, 1998, and for which invention a reissue patent is being solicited.

3. I believe the named inventors, I, Kelly Boles, Michael J. Novosel and Vincent S. Fleszewski III to be the original and first inventors of the subject matter which is claimed and for which a reissue patent is sought.

4. I believe that there is an error in the patent by reason of my claiming less than I had a right, as one of the patentees, to claim in the patent. I believe the original patent to be partly invalid or inoperative because I failed to include

claims having a broader scope than that which issued in independent Claim 1. For example, the subject matter of Claim 21 was never included in the application for patent upon which the present re-issue is based. Specifically, the original patent failed to claim in the application upon which the present re-issue is based, and as now defined in amended independent Claim 21, a memory storing a plurality of sound effects at addresses wherein the sound effects contain multiple samples that emulate a train locomotive at various conditions and further wherein the memory has an analog wave form or a digital representation of the analog wave form representing sound effects of a locomotive at various conditions and work loads. Further, the original patent failed to claim a controller connected to the memory for recalling the sound effects wherein the controller is controlled by a digital signal. Moreover, erroneously, the patent does not include claims such as the newly added Claims 22-50. This error was made unintentionally and with no intention to deceive or mislead the United States Patent and Trademark Office.

5. I executed an inventor's oath for a patent application which was filed in the United States Patent and Trademark Office. That application was filed on May 5, 1997 and given U.S. Serial No. 08/851,200. U.S. Patent No. 5,855,004 issued from that application on December 29, 1998.

6. When I signed the oath submitted with the U.S. Patent Application Serial No. 08/851,200, I did not appreciate that I was entitled to claims such as the newly added Claims 21-50.

7. Specifically, Applicants were and are entitled to

claims having a breadth as set forth in newly added and amended Claim 21 and newly added Claims 22-50.

8. Newly added independent Claim 21, as amended, recites "A sound reproducing system for a model train traveling on a plurality of rails that uses and amplified digital control signal for propulsion and control, the system comprising: a sound unit; a memory within the sound unit wherein the memory stores a plurality of sound effects at addresses wherein the sound effects contain multiple samples that emulate a train locomotive at various conditions wherein the memory has an analog wave form representing sound effects of a locomotive at various conditions and work loads or a digital representation of the analog wave form that represents a plurality of sound effects of a locomotive at various conditions and work loads; and a controller connected to the memory for recalling at least one of the sound effects wherein the controller is controlled by a digital signal."

9. Newly added Claims 22-50 are cited in paragraphs 11-40 of the Inventor's Declaration and Reissue Application filed June 9, 2000 in the U.S. Patent Office.

10. The newly added claims define an invention disclosed by the original specification and not taught by any reference or combination of references of which I am aware.

11. The errors in the originally filed claims arose without any deceptive intention on my part.

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Joint
Inventor

KELLY BOLES

Inventor's Signature

Kelly Boles

Date: 3-6-01

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**REISSUE APPLICATION
INVENTOR'S SUPPLEMENTAL DECLARATION
VINCENT S. FLESZEWSKI, III**

Assistant Commissioner for Patents
Box Reissue
Washington, D.C. 20231

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Full Name of Joint
Inventor

VINCENT S. FLESZEWSKI, III

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Vincent S. Fleszewski

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**REISSUE APPLICATION
INVENTOR'S SUPPLEMENTAL DECLARATION
MICHAEL J. NOVOSEL**

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